



Theravance

RECEIVED  
CENTRAL FAX CENTER

FEB 26 2004

Facsimile Cover Sheet

OFFICIAL

To: Commissioner for Patents  
Attn: Examiner Anand U. Desai, Art Unit 1653  
Company: USPTO  
Fax: 703-872-9306

From: Jeff Hagenah  
Company: Theravance, Inc.  
Telephone: 650-808-6406  
Fax: 650-808-6078  
Date: February 26, 2004  
# of pages: 56  
(including this page)

If there are any problems in receiving this transmission, please call (650) 808-6406.

---

**Comments:**

Attached is a Communication for U.S. Serial No. 09/847,060 (54 pages); Transmittal Form (1 page), this Fax Cover Page (1 page). Total = 56 pages

**Notice of Confidentiality**

The following transmittal contains confidential information intended exclusively for the above-named person. Use, copying, distribution or disclosure of information transmitted in error is strictly prohibited. Please call Theravance, Inc. at the above number if you have received this fax in error, and either destroy or return the enclosures to us.

---

---

PRIVILEGED AND CONFIDENTIAL

---

901 Gateway Blvd., South San Francisco, CA 94080; Tel. (650) 808-6000; Fax (650) 827-8690

PTO/SB/21 (08-03)

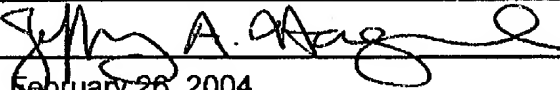
Approved for use through 07/31/2008. OMB 0651-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/847,060	
	Filing Date	May 1, 2001	
	First Named Inventor	Linsell	
	Art Unit	1653	
	Examiner Name	Anand U. Desai	
Total Number of Pages in This Submission	56	Attorney Docket Number	P-090-US1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form. <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input checked="" type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Facsimile Cover Page (1 page)
Remarks		Attached are the following: Communication (2 pages); copy of previously submitted IDS, including stamped postcard (1 page), postcard (1 page), IDS (3 pages), PCT search report (4 pages), EP 873 997 A1 (11 pages); EP 201 251 A2 (32 pages).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey A. Hagenah, Reg. No 35,175
Signature	
Date	February 26, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Jeffrey A. Hagenah, Reg. No. 35,175		
Signature		Date	February 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEB 26 2004

<b>CERTIFICATE OF TRANSMISSION</b>	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (703) 872-9306, on the date shown below:	
Dated: <u>2/26/04</u>	By: <u>Jeffrey A. Hagenah</u> Jeffrey A. Hagenah, Reg. No. 35,175

OFFICIAL

Patent  
Attorney's Docket No. P-090-US1  
Customer Number: 27038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Martin S. Linsell	)	Group Art Unit: 1653
Application No.: 09/847,060	)	Examiner: Anand U. Desai
Filed: May 1, 2001	)	Confirmation No. 4580
For: REDUCTIVE ALKYLATION PROCESS	)	

**COMMUNICATION AFTER NOTICE OF ALLOWANCE****(No Reduction of Period of Adjustment of Patent Term Under 37 C.F.R. §1.704)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Examiner request by telephone on February 26, 2004, enclosed is a replacement copy of the Information Disclosure Statement (IDS) submitted previously by Applicants on February 12, 2002, for the above-identified patent application. A Notice of Allowance for this application was mailed on February 6, 2004, and the issue fee has not yet been paid.

The attached replacement copy is a complete and accurate copy of the IDS submitted previously on February 12, 2002, as evidenced by the return postcard stamped by the USPTO acknowledging receipt thereof.

U.S. Serial No. 09/847,060  
Attorney Docket No. P-090-US1  
Customer Number 27038  
Page 2

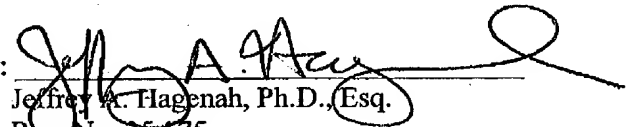
Since this replacement copy of the IDS was requested by the Examiner, this communication is not a circumstance that constitutes a failure of the applicant to engage in reasonable efforts to conclude processing or examination of this application under 37 C.F.R. §1.704.

Should there be any questions regarding this communication, the Examiner is encouraged to telephone the undersigned attorney for Applicants at (650) 808-6406.

Respectfully submitted,  
THERAVANCE, INC.

Date: February 26, 2004

By:

  
Jeffrey A. Hagenah, Ph.D., (Esq.)  
Reg. No. 35,175

THERAVANCE, INC.  
901 Gateway Blvd.  
South San Francisco, CA 94080  
(650) 808-6000  
(650) 808-6078 (Fax)

In re Patent Application of: Martin S. Linsell  
Title: REDUCTIVE ALKYLATION PROCESS  
Serial No.: 09/847,050

Filing Date: May 1, 2001

Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

**CONTENTS:** a Supplemental Information Disclosure Statement (1 pgs.), Form 1449 (1 pgs.), and copies of 2 cited references; PCT Search Report (4 pgs.); a Return Postcard and TRANSMITTAL SHEET.

Mailed: January 17, 2002  
RJH/agd



Docket No.: 1343.004US1  
Due Date: N/A

COPY

In re Patent Application of: Martin S. Linsell

Title: REDUCTIVE ALKYLATION PROCESS

Serial No.: 09/847,060

Filing Date: May 1, 2001

Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

CONTENTS: a Supplemental Information Disclosure Statement (1 pgs.), Form 1449 (1 pgs.), and copies of 2 cited references; PCT Search Report (4 pgs.); a Return Postcard and TRANSMITTAL SHEET.

Mailed: January 17, 2002  
RJH/agd

Docket No.: 1343.004US1  
Due Date: N/A

AM1-0910-R

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martin S. Linsell  
Title: REDUCTIVE ALKYLATION PROCESS  
Docket No.: 1343.004US1  
Filed: May 1, 2001  
Examiner: Unknown

Serial No.: 09/847,060  
Due Date: N/A  
Group Art Unit: Unknown

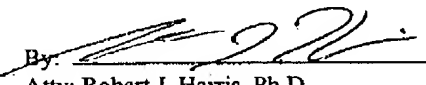
Commissioner for Patents  
Washington, D.C. 20231

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ A Supplemental Information Disclosure Statement (1 pgs.), Form 1449 (1 pgs.), and copies of 2 cited references.
- ☒ PCT Search Report (4 pgs.).

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By:   
Atty: Robert J. Harris, Ph.D.  
Reg. No. 37,346

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this 17<sup>th</sup> day of January, 2002.

Name Aisia G. Dunbar

Signature 

Customer Number 21186

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)

P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)